WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Council Chambers, Civic Centre, George Street, Millicent on 10 March 2020 at 5.00 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY / RECORDING OF MEETINGS

2. PRESENT
   His Worship the Mayor D Noll
   Cr D Agnew
   Cr D Burrow
   Cr J Drew
   Cr P Dunnicliff
   Cr D Muhovics
   Cr M Neagle
   Cr R Paltridge
   Cr D Price
   Cr G Slarks

   Messrs BJ Gower (Chief Executive Officer)
   PA Duka (Director Corporate Services)
   PA Halton (Director Engineering Services)
   SW Chapple (Director Development Services)
   Ms CP Allen (Executive Assistant)

3. APOLOGIES
   Cr K McGrath
   Cr S Cox

   A minute’s silence was observed in honour of former Employee Robert Gardenier who passed away on Monday, 1 March 2020 after an illness.

4. DISCLOSURE OF INTERESTS
   NIL

5. CONFIRMATION OF THE MINUTES

   5.1 Ordinary Meeting of Council – 11 February 2020 (Folio 8928 – Folio 8936)
   Cr Price moved that the Minutes of the Ordinary Meeting dated 11 February 2020 be taken as presented and confirmed.

   Cr Agnew seconded
   CARRIED

   5.2 Confidential Meeting of Council – 11 February 2020 (CM 853 – CM 856) (Released Immediately)

   Cr Muhovics moved that the Minutes of the Confidential Meeting dated 11 February 2020 be taken as presented and confirmed.

   Cr Dunnicliff seconded
   CARRIED

6. MATTERS ARISING FROM THE MINUTES
   NIL
7. ADJOURNMENTS

NIL

8. MAYORAL COMMUNICATIONS

8.1 Mayoral Communications

Cr Burrow moved that Mayoral Communications be received and noted.

Cr Paltridge seconded

CARRIED

9. DEPUTATIONS

9.1 Millicent & District International Basketball Association

[Mr Peter Seebohm and Mr Darren Fuller attended the meeting at 5.11 pm]

Mr Peter Seebohm and Mr Darren Fuller made a presentation to Council regarding the Building Project - Viewing Deck and Clubroom.

[Mr Peter Seebohm and Mr Darren Fuller left the meeting at 5.35 pm]

9.2 Limestone Coast Local Government Association – Draft Strategic Plan 2020/21 to 2025/26

[Mr Tony Wright attended the meeting at 5.35 pm]

Mr Tony Wright made a presentation to Council regarding the Limestone Coast Local Government Association Draft Strategic Plan 2020/21 to 2025/26.

[Mr Tony Wright left the meeting at 6.01 pm]

10. PETITIONS

NIL

11. REPORTS FROM COUNCIL MEMBERS

Cr Price advised that he and Cr Agnew attended the Nangwarry Artwork Grand Opening on 28 February 2020 with the latest artwork recognising the Dohnt Family and more than 80 years of community support and involvement.

12. QUESTIONS WITH NOTICE

NIL

13. QUESTIONS WITHOUT NOTICE

Various questions were asked but there was no resolution that entry be made into the Minutes.

14. REPORTS FROM COUNCIL COMMITTEES
14.1 Greenrise Lake Advisory Committee - Minutes of Meeting held on 17 February 2020

Cr Burrow moved that the Minutes of the Greenrise Lake Advisory Committee Meeting dated 17 February 2020 be received and noted.

Cr Paltridge seconded

CARRIED

Cr Burrow moved that Council move the proposed footpath / cycling track from its current pegged out position adjacent the Penola Bypass to an alternative route as displayed in blue on the map that was provided by Cr Burrow at the meeting.

Cr Paltridge seconded

AMENDMENT

Cr Dunnicliff moved that Council move the proposed footpath / cycling track from its current pegged out position adjacent the Penola Bypass to an alternative route as displayed in blue on the map that was provided by Cr Burrow at the meeting subject to DPTI approval.

Cr Drew seconded

THE AMENDMENT WAS PUT AND BECAME THE MOTION
THE MOTION WAS PUT AND WAS CARRIED

14.2 Lake McIntyre Management Committee - Minutes of Meeting held on 12 February 2020

Cr Muhovics moved that the Minutes of the Lake McIntyre Management Committee Meeting dated 12 February 2020 be received and noted.

Cr Neagle seconded

CARRIED

15. REPORTS FROM COUNCIL OFFICERS

15.1 Chief Executive Officer

15.1.1 Monthly Project Status Report

Cr Price moved that Council receive and note the report.

Cr Dunnicliff seconded

CARRIED

ADJOURNMENT OF MEETING

Cr Dunnicliff moved that the meeting be adjourned for dinner until 7.05 pm

Cr Agnew seconded

CARRIED

The meeting adjourned at 6.31 pm.

The meeting reconvened at 7.05 pm.

15.1.2 Limestone Coast Joint Planning Board

Cr Burrow moved that Council receive and note the report.

Cr Price seconded

CARRIED
Cr Price moved that Council endorse the establishment of a Limestone Coast Joint Planning Board (JPB) that includes Wattle Range Council as a party to the associated Planning Agreement.

Cr Dunnicliff seconded  CARRIED

15.1.3 Temporary Office Lease

Cr Neagle moved that Council receive and note the report.

Cr Burrow seconded  CARRIED

Cr Dunnicliff moved that Council approve a $20,000 budget variation for the fit out and lease of additional temporary office accommodation.

Cr Paltridge seconded  CARRIED

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Cr Muhovics moved that Council receive and note the 2019/20 February Financial Performance Report.

Cr Price seconded  CARRIED

15.2.2 Revocation of Community Land Classification (Section 396, 1032 – Allotments 51 and 52, DP 31613, Hundred of Mount Muirhead

Cr Drew moved that Council:

1. Pursuant to Section 194 (2) of the Local Government Act 1999, agree to commence the formal public consultation process to revoke the community land classification of land situated at:

   - Section 396, CR 5666/383, Crown land dedicated for parkland purposes (A2371)
   - Section 1032, CR 5672/564, Crown land dedicated to Council for parkland purposes (A4368)
   - Allotment 51 & 52, CR 5762/564, Crown land dedicated to Council for parkland purposes. (A4368)

2. Provide in principal support for the sale of:

   - Section 396, CR 5666/383, Crown land dedicated for parkland purposes
   - Section 1032, CR 5672/564, Crown land dedicated to Council for parkland purposes
   - Allotment 51 & 52, CR 5762/564, Crown land dedicated to Council for parkland purposes.

Cr Agnew seconded  CARRIED
15.2.3 Audit & Risk Committee Charter Review

Cr Burrow moved that Council adopt the reviewed Audit & Risk Committee Charter as presented.

Cr Agnew seconded  CARRIED

Cr Dunnicliff moved that Council invite expressions of interest from suitably qualified professionals, for the purpose of filling the newly created independent member’s position on the Wattle Range Audit & Risk Committee.

Cr Burrow seconded  CARRIED

15.2.4 Millicent and District International Basketball Association

Cr Dunnicliff moved that Council:

Will consider the following financial allocations in its development of the 2020/21 Annual Business Plan and Budget:

1) $200,000 for supply and installation of building fires safety equipment at the McLaughlin Park facility
2) $50,000 cash contribution on successful application for grant funds
3) Re Draw $60,000 to the current Guarantee of Community Loan borrowing facility.

Predicated on the supply of the following documentation:

a) The latest annual financial statements,
b) Minutes of the last Annual General Meeting,
c) Copies of the current months bank statement(s),
d) Proof of Star Club accreditation (or proof of working towards accreditation),
e) An updated Long-Term Financial Plan that includes future cash flow projections for the upgrade.

Cr Muhovics seconded  CARRIED

15.2.5 Wattle Range Youth Development Foundation

Cr Paltridge moved that Council provide financial assistance of $400 to:

1. Harry Mules to assist with costs to attend the Australian Country Junior Basketball Cup – New Zealand Tour from 10-13 April 2020;
2. Samuel Linton to assist with costs to attend the Christian Football Australia National Academy Tour to Spain from 23 March – 6 April 2020.

Cr Agnew seconded  CARRIED

15.2.6 Millicent Aerodrome Land Lease

Cr Price moved that Council:
1a Pursuant to Section 200 of the Local Government Act, 1999 authorise the Chief Executive Officer to offer a new lease agreement for the lease of portion of the Millicent aerodrome land (part Section 503, Lot 51, 53 and 54, Hundred of Mount Muirhead) for cropping and grazing purposes with BN & JM Bell & Sons for an initial term of 3 years commencing from 1 July 2020 with a right of renewal for a further 3 year term subject to the Council obtaining an independent assessment of the current lease value of the land and negotiating the same with the BN & JM Bell & Sons; and

2a Pursuant to Section 202 of the Local Government Act 1999, commence a 21-day period of public consultation prior to finalising any new lease agreement.

Cr Agnew seconded LOST

Cr Paltridge moved that Council:

1b Call public tenders for the lease of portion of the Millicent aerodrome land for cropping and grazing purposes for an initial term of 3 years commencing from 1 July 2020 with a right of renewal for a further period of 3 years;

2b Pursuant to Section 200 of the Local Government Act, 1999 authorise the Chief Executive Officer to negotiate and execute a new lease agreement for the lease of portion of the Millicent aerodrome land (part Section 503, Lot 51, 53 and 54, Hundred of Mount Muirhead) for an initial term of 3 years commencing from 1 July 2020 with a right of renewal for a further 3 year term;

3b Pursuant to Section 202 of the Local Government Act 1999, undertake public consultation prior to finalising any new lease agreement, and

4b Advise BN & JM Bell & Sons that the Council will be calling public tenders for the lease of the Millicent aerodrome land, with the new lease term to commence from 1 July 2020.

Cr Neagle seconded CARRIED

15.3 Director Development Services

15.3.1 Penola Town Entrance Signage

Cr Dunnicliff moved that Council not proceed with the Penola Town Entrance statement project until funding of $10,000 has been received from the Penola District Business and Tourism Association.

Cr Paltridge seconded

Cr Price moved that the question lie on the table.

Cr Neagle seconded CARRIED
15.4 Director Engineering Services

15.4.1 Southern Ports Highway, Millicent – Request to Reduce Speed Limit

Cr Agnew moved that Council receive and note the report.

Cr Burrow seconded  CARRIED

Cr Drew moved that Council write to the Department of Planning, Transport and Infrastructure requesting a speed limit change along the Southern Ports Highway, Millicent, to the following effect:

- Shift the 60/80 km/hr zone from the vicinity of Mayell Street to approximately 80m west of Williams Road.
- Shift the 80/110 km/hr zone from 300m west of Banksia Road to 50m west of Banya Road.

Cr Burrow seconded  LOST

15.4.2 Penola Bypass – Surplus Land

Cr Burrow moved that Council receive and note the report.

Cr Paltridge seconded  CARRIED

Cr Burrow moved that Council investigate landscaping options at the Southern and Northern Entrances to Penola.

Cr Paltridge seconded  CARRIED

15.4.3 Speed Limit Review – Riddoch Highway Penola

Cr Neagle moved that Council receive and note the report.

Cr Muhovics seconded  CARRIED

Cr Price moved that Council provide a letter to DPTI indicating that Council wishes to see the 110 km/hr speed limit on the Riddoch Highway from Penola to Edenhope Road be retained.

Cr Dunnicliff seconded

DIVISION

Cr Burrow called for a division:

The Mayor declared the vote set aside.

**Members voting in the affirmative:**
Councillors Agnew, Dunnicliff, Muhovics, Price, Slarks

**Members voting in the negative:**
Councillors Burrow, Drew, Neagle, Paltridge

The Mayor declared the motion CARRIED

Cr Price moved that Council request DPTI erect signage indicating slower
moving traffic may be present during Grape Harvesting Season.

Cr Slarks seconded  CARRIED

Cr Price moved that Council write to DPTI requesting that the Penola Bypass speed limit be set at 110 km/hr as originally planned.

Cr Agnew seconded  LOST

Cr Burrow moved that Council engage in community consultation to determine the community’s view of the speed limit of the Penola Bypass to be 80, 90, 100 or 110 km/hr.

Cr Paltridge seconded  LOST

15.4.4 Swimming Facilities Update

Cr Muhovics moved that Council receive and note the report.

Cr Burrow seconded  CARRIED

Cr Drew moved that Council extend the swimming season at the Millicent Swimming Lake and Penola Pool until Sunday, 26 April 2020.

Cr Burrow seconded  CARRIED

15.4.5 Waste Management Update

Cr Neagle moved that Council receive and note the report.

Cr Agnew seconded  CARRIED

15.4.6 Susan Wilson Playground Beachport – Replacement

Cr Price moved that Council receive and note the report.

Cr Neagle seconded  CARRIED

Cr Price moved that Council

1. Prepare a grant application to the State Government Grant Program Open Spaces and Places for $150,000.

2. Submit a Business Case in the 2020/21 Budget for $200,000 as part of this initiative.

Cr Neagle seconded  CARRIED

16. CORRESPONDENCE

16.1 Nominations for the 2020 Premier’s Certificate of Recognition for Outstanding Volunteer Service - Open

Cr Dunnicliff moved that the correspondence from Office for Volunteers dated 17 February 2020 be received and noted.

Cr Price seconded  CARRIED
16.2 Nominations for the 2020 South Australian Volunteer Awards

Cr Neagle moved that the correspondence from Hon Michelle Lensink dated 21 February 2020 be received and noted.

Cr Muhovics seconded CARRIED

16.3 State Planning Commission – Draft Planning and Design Code

Cr Slarks moved that the correspondence from Mr Michael Lennon, Chair, State Planning Commission dated 7 February 2020 be received and noted.

Cr Agnew seconded CARRIED

16.4 Kalangadoo Community Club Update

Cr Muhovics moved that the correspondence from Andre Carlson dated 20 February 2020 be received and noted.

Cr Drew seconded CARRIED

17. MOTIONS ON NOTICE

17.1 Southern Ocean Tourist Park – Recreational Hall

Cr Slarks moved that the Southern Ocean Tourism Park Recreational Hall construction is actioned in this financial year.

Cr Price seconded CARRIED

17.2 Acknowledgement of Country

Cr Price moved that Council amend the Acknowledgement of Country to read: “We acknowledge the traditional custodians of the land on which we meet and pay respect to Elders past and present”.

Cr Dunnicliff seconded CARRIED

17.3 Domestic Violence

Cr Neagle moved that Wattle Range Council deplores domestic violence and urges all its residents to actively advocate and act for victims to intervene through reporting incidents to SAPOL.

Cr Slarks seconded

DIVISION

Cr Price called for a division:

The Mayor declared the vote set aside.

Members voting in the affirmative:
Councillors Agnew, Burrow, Drew, Dunnicliff, Muhovics, Neagle, Paltridge, Price, Slarks

The Mayor declared the motion CARRIED UNANIMOUSLY
18. URGENT MOTIONS WITHOUT NOTICE

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

19.1 Confidential – Review of Eligible Section 184 – Sale of Properties for Unpaid Rates

Cr Neagle moved:

1. Pursuant to Sections 90(2) and 90(3)(a) of the Local Government Act, 1999, the Council orders that the public be excluded from attendance at that part of this meeting relating to Item 19.1 excepting the following persons:

- Mr BJ Gower – Chief Executive Officer
- Mr PA Duka – Director Corporate Services
- Mr PA Halton – Director Engineering Services
- Mr SW Chapple – Director Development Services
- Ms CP Allen – Executive Assistant / Minute Taker

To enable the Council to consider Item 19.1 Review of eligible section 184 sale of properties for unpaid rates in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to information pertaining to unpaid rates.

The disclosure of this information would be unreasonable because the information is sensitive / confidential and is not a matter of public knowledge.

2. Accordingly, on the basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Drew seconded

CARRIED

Cr Dunnicliff moved that Council supports the progression of the following properties to Section 184 sale of properties for unpaid rates:

- Rate Assessment # A8176 – 14 Brown Street, MOUNT BURR
- Rate Assessment # A10310 – 64 Portland Street, PENOLA

Cr Muhovics seconded

CARRIED

Cr Burrow moved that having considered Item 19.1 in confidence under section 90(2) and (3)(a) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the Minutes and Report related to this item be released to the public.

Cr Neagle seconded

CARRIED
Meeting closed at 9.35 pm.

Taken as presented and confirmed.

.................................................. ..................................................
MAYOR DATE